

REMARKS

In the Office Action dated September 28, 2009, claim 14 was rejected for various reasons under Section 112, first and second paragraphs. This rejection was based on a typographical error in claim 14, which has now been corrected by changing "said selection key field" in the last phase of claim 14 to "said setting key field." Additionally, claim 14 has been amended, consistent with the language already present in claim 10, to make clear that the selection key field is displayed in the programmed mode and the setting key field is displayed in the manual mode. With this correction, claim 14 is submitted to be fully supported in the disclosure as originally filed in compliance with the requirements of 35 U.S.C. §112, first paragraph, and is not indefinite or ambiguous, and is therefore in compliance with all provisions of 35 U.S.C. §112, second paragraph.

Claim 10 also was rejected under Section 112, second paragraph as being indefinite because the Examiner stated it was not clear, in line 33 of the amended version of that claim, as to the relationship between "said preset value" and "said settable value" and the previously-used terms of "at least one preset value" and "at least one settable value." In response, claim 10 has been amended at this location to make clear that it is the "at least one preset value" or the "at least one settable value" that is intended.

Claim 10 and all claims depending therefrom are therefore submitted to be in full compliance of all provisions of Section 112, second paragraph.

Additionally, the previously-made prior art rejection of claims 2 and 10-14 was maintained. Claims 2 and 10-14 were rejected under 35 U.S.C. §102(e) as being

anticipated by Nokita or, in the alternative, under 35 U.S.C. §103(a) as obvious over Nokita in view of Lemelson et al.

As the Examiner is aware, a telephone interview was conducted between the undersigned representative of the Applicants and the Examiner on July 9, 2009, which resulted in the filing of the RCE and Amendment D, to which the September 28, 2009 Office Action responds. As stated in Applicants' Remarks in Amendment D, it was agreed in that telephone interview that amending independent claim 10 to indicate that the value displayed on the display area, when switching between the manual mode and the program mode, is displayed only once and only at one location, i.e. in the display area. It was agreed in the telephone interview (Applicants' representative believes) that even with the resizing proposed by the Examiner in order to modify the operation of the Nokita reference, the respective values would be displayed twice, and at two different locations.

This language was accordingly included in independent claim 10. The Examiner addressed this new language in the substantiation of the rejection of claim 10 at lines 3-6 at page 6 of the Office Action. The Examiner's statement on this point is not understood. The Examiner stated that the portion of the parameter modification window disclosed in Nokita is not considered a part of "said display area." This is not considered to be relevant to the remaining language of claim 10, which states that, in the programmed mode, *only* a selection key field is displayed, and in the manual mode, *only* a setting key field is displayed. It is therefore not permissible for the Examiner to "not consider" the display area in Nokita, because this contradicts the requirement in claim 1 that only the aforementioned fields be

decision is not applicable to a situation such as the present rejection, wherein the Examiner is proposing modification of one reference to supply a teaching that is *missing* from that reference, this teaching being that in the manual mode *only* a setting key field is displayed.

Claim 10 and the claims depending therefrom are therefore submitted to be in condition for allowance, and not anticipated in view of Nokita, nor obvious in view of Nokita and Lemelson et al. Early reconsideration of the application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519.

Submitted by,



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